

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CHARLES B. ANDERSON JR.,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-16-1060-HE
	)	
LIEUTENANT FALSTED, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff Charles B. Anderson Jr., a federal prisoner appearing *pro se* and *in forma pauperis*, filed this Bivens<sup>1</sup> action against eleven employees at the Federal Correctional Institution, El Reno, where he previously was incarcerated. Consistent with 28 U.S.C. §636(b), the matter was referred to Magistrate Judge Charles B. Goodwin for initial proceedings. The court adopted the magistrate judge’s prior Report and Recommendation and dismissed without prejudice plaintiff’s claims against the ten “John and Jane Doe” defendants in Count II of the complaint.

The magistrate judge now recommends in a Report and Recommendation (“Report”) that the action be dismissed because plaintiff has not prosecuted his case in accordance with the court’s orders and procedural rules. Plaintiff has failed, among other things, to file a change of address form with the court and effect service on the remaining defendant.

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<sup>1</sup> *Bivens v. Six Unknown Named Agents of Fed. Bur. of Narcotics*, 403 U.S. 388 (1971).

Plaintiff failed to object to the Report. He thereby waived his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court adopts Magistrate Judge Goodwin's Report and Recommendation and dismisses this action without prejudice.

**IT IS SO ORDERED**

Dated this 24th day of April, 2018.



JOE HEATON  
CHIEF U.S. DISTRICT JUDGE